IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL

Criminal Misc. Application No. 635 of 2006

Ravindra Singh S/o Sri Satpal Singh
R/o 172 B.S.M. Tiraha, Roorkee
Haridwar (Uttaranchal) .... Applicant

Vs.

1. State of Uttaranchal
2. Deepak Rajpur, Ahalmad
   Court of District Magistrate,
   Haridwar .... Respondents

Sri B.S. Adhikari, learned counsel for the applicant
Learned A.G.A. for the State.

Hon'ble B.C. Kandpal, J.

This petition under Section Cr.P.C. has been filed by the applicant who has been summoned to face the trial under Section 380 I.P.C.

2. Brief facts giving rise to this petition are that a First Information Report was lodged against the applicant under Section 380 I.P.C. The police investigated the matter and thereafter submitted the chargesheet against the petitioner on 25.05.2004 which is contained as Annexure – 4 to the petition. The petitioner has thus challenged the impugned order as well as the chargesheet submitted against him by way of this petition.

3. Heard Sri B.S. Adhikari, learned counsel for the petitioner, learned A.G.A. for the State and perused the record.

4. After having considered the arguments advanced by the learned counsel for the petitioner, I do not find any abuse of process of court in this case. Iam not supposed to act as a trial judge in order to assess the evidence which are still incomplete and hazy. It is for the trial judge to appreciate the

evidence, which is yet to lead by the parties concerned before him. While exercising the jurisdiction under Section 482 Cr. P.C., I am not supposed to pre-judge, the police papers and any discrepancies therein.

5. I do not find any ground for quashing the criminal proceedings at this stage. Therefore, the petition lacks merit and is liable to be dismissed.

6. Accordingly, the petition is dismissed.

7. It has been submitted by the learned counsel for the petitioner that the proceedings are unnecessarily languishing before the court below, therefore, I direct that the court below where, the proceedings are pending shall take immediate steps to expedite the disposal of the proceedings of the case.

8. However, in case, if the petitioner appears before the court below for obtaining the bail, his bail shall be considered expeditiously.

(B.C. Kandpal, J.)

05.08.2006
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